

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
CENTRAL DIVISION**

**IN RE: PROFEMUR HIP IMPLANT) MDL No. 2949
PRODUCTS LIABILITY LITIGATION) ALL CASES**

ORDER

Before the Court is the status of this matter. The Court held a status conference with the parties on February 25, 2022, to discuss several matters including the possibility of lifting the stay on discovery in this Multi District Litigation (“MDL”), and the scope of discovery with MicroPort Orthopedics, Inc. (“MicroPort”) in the MDL (Dkt. Nos. 103, 104). The parties submitted status reports to the Court. Plaintiffs’ Co-Lead Counsel submitted a status report to the Court on March 25, 2022, requesting that the stay of pre-trial proceedings related to MicroPort be lifted. Plaintiffs’ Co-Lead Counsel did not believe that additional briefing on the ESI search term issue would be beneficial, and counsel suggested that they could submit a proposed schedule for conducting remaining discovery with MicroPort within 15 days after the Court ruled on the pending ESI search term matters. MicroPort’s counsel submitted a status report to the Court on March 25, 2022, requesting that a stay on discovery remain in place so that MicroPort could investigate data that it had just received about plaintiffs’ alleged injuries, among other matters, and so that it could engage in meaningful negotiations with plaintiffs.

Within 14 days of the date of this Order, the parties shall each provide the Court with a status report advising the Court of the status of this matter and whether the party seeks to lift the stay on discovery in this MDL related to MicroPort. The parties shall also set forth in their status report to the Court whether the party considers ripe for decision the ESI search term matters related to MicroPort raised by the parties in their August 13, 2021, written submissions to the Court and argued at a hearing held on September 30, 2021, or whether the party wishes to supplement their

filings on the ESI search term matters. If a party would like to supplement their briefing, the party must set forth a proposed date by which the party agrees to submit further briefing to the Court. A party may also include in their status report any other issues that party would like to raise with the Court.

So ordered this 10th day of August, 2022.



Kristine G. Baker
United States District Court Judge